

DETAILED ACTION

Response to Amendment

The amendments to the specification, drawings, and claims filed on October 30, 2009 have been entered into the record.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 144 and 146 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. Claims 144 and 146 recite "said reel storage areas," but claim 89—from which claims 144 and 146 depend—recites "a reel storage area." It is not clear whether the applicant is claiming one reel storage area or a plurality of reel storage areas.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 89, 91, 93, 95, 97, 99-101, 109, 110, 118-121, 123, 126, 129-135, 141, 143-146, and 148-156 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lehrieder (Patent No. 6,138,938) in view of Schaede (Pub. No. 2003/0164102).

6. Consider claims 89, 93, 118-120, and 154-156. Lehrieder '938 teaches a device for transporting reels of material (24) comprising:

- a. a reel preparation station (26) adapted to prepare said reels of material;
- b. an intermediate reel storage area (39) adapted to receive and to store a plurality of said reels of material received from said reel preparation station, each of said reels of material having a reel width in an axial direction of each said reel of material;
- c. a plurality of primary transport carriages (16) each adapted to support one of said reels of material in said reel preparation station and in said intermediate reel storage area;
- d. a web-processing machine (rotary printing press, see column 2, lines 18-19) with a reel changer (2) having an uploading and unloading position (see fig. 4), said intermediate reel storage area being located adjacent said web-processing machine (see fig. 1);
- e. a transport route (transport direction of third transport car 41, see column 3, lines 52-53 and fig. 1) for each said primary transport carriage and extending directly from said intermediate reel storage area to said reel changer in said web-processing machine;
- f. at least one secondary transport carriage (27, 41), said at least one secondary transport carriage being adapted to receive one of said primary transport carriages in said reel preparation station and to transport each said primary transport carriage and its supported one of said reels of material directly

to said intermediate reel storage area along said transport route (via 27) and to transport each said primary transport carriage directly between said intermediate reel storage area and said uploading and unloading position of said reel changer (via 41); and

g. a plurality of reel storage spaces (proximate 31, 32, 33, etc.) in said intermediate reel storage area, at least two of said reel storage spaces being aligned directly one in front of the other (see fig. 1).

Lehrieder '938 teaches a storage space width equal to three times the reel width (see fig. 1), not twice the reel width. It would have been an obvious matter of design choice to make the reel storage space width equal to twice the reel width, since such a modification would have involved a mere change in the size of a component. A change in size is generally recognized as being within the level of ordinary skill in the art. *In re Rose*, 105 USPQ 237 (CCPA 1955).

Lehrieder '938 generally teaches a web-processing machine (rotary printing press) with a reel changer (2), but does not explicitly teach the specific structure of a web-processing station and a direction of web travel. Schaede teaches a web-processing machine/rotary printing press with a single reel changer (01) and a plurality of web-processing stations/printing couples (06, 07, 08, 09) and a direction of web travel (T, see fig. 1) which is a horizontal web path through the web-processing machine. The direction of web travel of Lehrieder '938 in view of Schaede would be parallel to the transport route and the plurality of reel storage spaces of Lehrieder '938; and the printing couples and reel changer of Lehrieder '938 in view of Schaede would be in a

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common plane with the reel storage area of Lehrieder '938. It would have been obvious to a person having ordinary skill in the art to modify the web-processing machine of Lehrieder '938 with Schaede's reel changer and web-processing stations in order to provide for subsequent processing of the web material.

7. Consider claim 91. Lehrieder '938 teaches that two primary transport carriages (16) can be supported on the at least one secondary transport carriage (27, 41, see column 3, lines 46-56 and fig. 2).

8. Consider claims 95, 101, and 129-134. Lehrieder '938 teaches that the reels of material (24) are each stored in one of the reel storage spaces (proximate 31, 32, 33, etc.) on ones of the primary transport carriages (16, see column 3, lines 28-34), that one of the primary transport carriages is positionable in each reel storage space (see fig. 1), and that all of the plurality of storage spaces (proximate 31, 32, 33, etc.) can accommodate at least two of the primary transport carriages (16).

9. Consider claims 97, 99, and 100. Lehrieder '938 teaches that the reel storage spaces (proximate 31, 32, 33, etc.) in the reel storage area (39) are located intermediate the reel preparation station (26) and the web-processing machine (rotary printing press, see fig. 1), that at least two unpacked and prepared reels of material are held in the reel storage spaces (see fig. 1), and that all reels are prepared with splicing (see column 3, lines 4-9).

10. Consider claim 109. Lehrieder '938 teaches branch lines (31, 32) extending perpendicularly from the transport route to the plurality of reel storage spaces.

11. Consider claim 110. Lehrieder '938 teaches the plurality of reel storage spaces on one side of the transport route (see fig. 1).
12. Consider claim 121. Lehrieder '938 teaches that a storage area (31) is a first in first out storage area (reels 24 are loaded on one side of a linear rail 31 and are unloaded on the opposite side, see fig. 1).
13. Consider claim 123. Lehrieder '938 teaches wheels (18) on each of the primary transport carriages (16) and rails (proximate 41) defining the transport route and adapted to receive the wheels.
14. Consider claim 126. Lehrieder '938 teaches a primary transport carriage chain drive (see column 2, lines 53-56).
15. Consider claim 135. Lehrieder '938 teaches each of the primary transport carriages (16) is adapted to accommodate a partial reel of material (roll remainder 44, see fig. 2).
16. Consider claims 141, 143, and 145. Lehrieder '938 teaches a spacing between all of the reel storage spaces (proximate 31, 32, 33, 34, etc.) is greater than a reel diameter (24, see fig. 1).
17. Consider claims 144 and 146. Lehrieder '938 teaches reel storage areas (39 proximate 31, 32, 33, 34; and 39 proximate 36, 37, 38; see fig. 1) sized to store two reels of material (24).
18. Consider claims 148-150. Lehrieder '938 teaches all of the reel storage spaces (proximate 31, 32, 33, 34, etc.) are adapted to store new reels of material (24, see fig. 1).

19. Consider claims 151-153. Lehrieder '938 teaches that reels of material (24) having a maximum reel diameter (d24) can be stored in all of the reel storage spaces (proximate 31, 32, 33, 34, etc.) one in front of the other in a direction of web travel (direction of web travel of Lehrieder '938 in view of Schaede).
20. Claims 92, 122, and 147 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lehrieder (Patent No. 6,138,938), in view of Schaede (Pub. No. 2003/0164102) in view of Allemann (Pub. No. 2004/0091340).
21. Consider claims 92 and 147. Lehrieder '938 in view of Schaede teaches the transport route is located before, in the direction of web travel, the reel changer; but does not explicitly teach three reel storage spaces arranged on first and second sides of the transport route. Allemann teaches a transport route (proximate 24) with three reel storage spaces (11) arranged on first and second sides (3 and 4) of the transport route. It would have been obvious to a person having ordinary skill in the art to modify the reel storage spaces of Lehrieder '938 in view of Schaede with Allemann's reel storage spaces on two sides of the transport route in order to increase the number of reel storage spaces that lie directly adjacent to the transport route.
22. Consider claim 122. Lehrieder '938 in view of Schaede does not explicitly teach a machine control center. Allemann teaches a web-processing machine control center (CPU, see paragraph 0027). It would have been obvious to a person having ordinary skill in the art to modify the device of Lehrieder '938 in view of Schaede with Allemann's machine control center in order to provide automatic control of the device. It would have been obvious to a person having ordinary skill in the art to locate the machine

control center of Lehrieder '938 in view of Schaede in view of Allemann adjacent to the intermediate reel storage area in order to minimize the length of wire or wireless transmission required.

Response to Arguments

23. Applicant's arguments filed 10/30/2009 have been fully considered but they are not persuasive.
24. Applicant argues that Lehrieder '938 teaches structural limitations not claimed in the instant application. This argument is not persuasive. In the claims, the applicant uses the transitional phrase "comprising," which is open-ended and does not exclude additional, unrecited elements. Please see MPEP 2111.03.
25. Applicant argues that Lehrieder '938 teaches additional steps not claimed in the instant application. This argument is not persuasive. In the pending claims, the applicant is claiming an apparatus, not a method. Furthermore, the applicant uses the transitional phrase "comprising," which is open-ended and does not exclude additional, unrecited elements or method steps. Please see MPEP 2111.03.
26. Applicant argues that Lehrieder '938 does not teach reel storage spaces with a width that is twice a reel width. This argument is not persuasive. A mere change in the size of a component has been held to be within the level of ordinary skill in the art as stated above with respect to claim 89.

Conclusion

27. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan D. Snelting whose telephone number is 571-270-7015. The examiner can normally be reached on Monday to Friday 8:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saul Rodriguez can be reached on 571-272-7097. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J. D. S./
Examiner, Art Unit 3652

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